UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

OurPet's Company,	)	CASE NO.: 1:13CV2550
	)	
	)	
	)	JUDGE PATRICIA A. GAUGHAN
Plaintiff(s)	)	
	)	
vs.	)	NOTICE OF CASE MANAGEMENT CONFERENCE
	)	
Arjan Impex,	)	
	)	
	)	
Defendant(s).	)	

All counsel and/or parties will take notice that the above-entitled action has been set for a Case Management Conference ("CMC") on **January 24, 2014 at 9:30 a.m.** before Judge Patricia A. Gaughan. United States District Court Local Rule Section 16 and the Local Patent Rules will apply to this case. **The conference will be held by telephone with the court initiating the call.**

Except in government collection cases and actions by unrepresented prisoners, the parties shall meet prior to the CMC to discuss the case and prepare the proposed discovery plan pursuant to Fed. R. Civ. P. 26 (f). The parties shall, within 10 days after the meeting, provide the basic information to the other parties specified by Fed. R. Civ. P. 26 (a) (1) (initial disclosures). A Report of Parties' Planning Meeting (see attached form), shall be filed with the Court at least three work days prior to the CMC.

Unless otherwise ordered by the Court, initial disclosures, discovery depositions, interrogatories, requests for documents, request for admissions, and answers and responses thereto shall not be filed with the Clerk's Office, except that discovery materials may be filed as evidence in support of a motion or for use at trial.

It is the responsibility of counsel for the plaintiff (s) to verify that a copy of this Order has been received by counsel for defendant (s) or, if no counsel has entered an appearance for defendant (s), has been received by defendant(s).

During the course of litigation, any questions or concerns regarding any aspect of this case should be directed (216) 357-7210.

IT IS SO ORDERED.

/s/Patricia A. Gaughan
PATRICIA A. GAUGHAN
UNITED STATES DISTRICT JUDGE

Date: 12/05/13

ATTACHMENT 1

UNITED STATES DISTRICT COURT
NORTHER DISTRICT OF OHIO

OurPet's Company,	)	CASE NO.: 1:13CV2550
	)	
Plaintiff(s),	)	
	)	JUDGE PATRICIA A. GAUGHAN
	)	
vs.	)	
	)	REPORT OF PARTIES' PLANNING
Arjan Impex,	)	MEETING UNDER FED. R. CIV.P.
	)	26F), L.R.16.3 (b)(3) AND LPR 2.1
	)	
Defendant (s).	)	

1. Pursuant to Fed. R. Civ. P. 26 (f) and L.R. 16.3 (b)(3) and L.P.R. 2.1, a meeting was held on

________________________________, 201____, and was attended by:

___________________________ Counsel for plaintiff (s) _____________________________
___________________________ Counsel for plaintiff (s) _____________________________
___________________________ Counsel for defendant(s)_____________________________
___________________________ Counsel for defendant(s) ______________________________

2. The parties do/ do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

3. **Scheduling**

a. Proposed Schedule:

Counsel shall set forth in the Planning Report the dates for all disclosures required by the Local Patent Rules for the Northern District of Ohio to the extent such disclosures have not already been made.

b. If the parties are advocating a departure from the dates set forth in the Patent Local Rules, set forth the basis for said departure: ____
____

4. **Anticipated Motions**

a. The parties anticipate filing the following motions:

i. ___Preliminary injunction. Proposed briefing schedule: ___________________________

____

ii. __Motion to add or substitute parties. Proposed briefing schedule: _________________

____

____

iii.__[Other]. Proposed briefing schedule: ____

____

b. The following issues may be the proper subject of an early motion for summary judgment or partial summary adjudication:

i. __Inventorship of Indefiniteness (describe basis)_________________________________

- ____

____

ii.__Invalidating sale, offer for sale, or display (described basis) _____________________

- ____

____

iii.__ Other (describe basis) ____

____

____

5. **Nature of Dispute**

a. Describe the field of the claimed invention: ______________________________________

____

b. Claims asserted: ____

c. The parties anticipate requesting that the Court construe _________________ claim terms.

d. Describe the allegedly infringing activity or product: _____________________________

____

____

e. Describe any potentially non-fringing alternative designs: __________________________

____

____

f. The parties have/have not stipulated that the above-described designs do not infringe the patents in issue.

6. **Discovery**

a. If the parties anticipate needing to propound interrogatories and/or take depositions in excess of the number provided in the Federal Rules of Civil Procedure, set forth the proposed limit and basis for the request: ____
____
____

b. The parties have/have not agreed to an electronic discovery plan. Absent agreement by the parties, the default standard for e-discovery set forth in Appendix K to the Local Rules applies.

c. The parties anticipate the following discovery issues: ____________________________
____
____

7. **Protective Order**

a The parties have/have not agreed to the form Patent Protective Order set forther in Appendix C to the local Patent Rules.

b. The parties do/ do not plan to submit an alternative proposed protective order for adoption by the Court.

c. Identify any issues the Court should be aware of with respect to the confidentiality concerns of the parties: ____
____
____

8. **Claim Construction.**

The parties will submit simultaneous briefs regarding any disputed claims construction issues on or before ___________________.

9. The parties have/have not consented, pursuant to Fed.R.Civ.P. 5(b)(2)(E), to the electronic exchange of pleadings, notices, discovery, and other mandated disclosures not otherwise served electronically via the Court's electronic filing system.

10. The parties have/have not discussed settlement and the appropriateness of Alternative Dispute Resolution.

Date: _________________, 20___

Attorney for Plaintiff (s) _________________________________
Attorney for Plaintiff (s)_________________________________
Attorney for Plaintiff (s)_________________________________
Attorney for Defendant(s)________________________________
Attorney for Defendant(s)________________________________
Attorney for Defendant(s)_________________________________